

**Thimesch Law Offices**

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Attorneys for Plaintiff  
CRAIG YATES

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

CRAIG YATES,

CASE NO. C07-4087 EDL  
Civil Rights

Plaintiff,

v.

**[Proposed] ORDER PARTIALLY  
DENYING DEFENDANT CITY OF SAN  
FRANCISCO UPTOWN PARKING'S  
APPLICATION FOR EXTENSION OF  
TIME TO RESPOND TO THE  
COMPLAINT**

UNION SQUARE; CITY AND COUNTY  
OF SAN FRANCISCO; CITY OF SAN  
FRANCISCO UPTOWN PARKING  
CORPORATION; EMPORIO RULLI IL  
CAFFE UNION SQ.; EMPORIO RULLI  
IL CAFFE UNION SQ., INC.; and  
DOES 1 through 50, Inclusive,

Defendants.

\_\_\_\_\_ /

HAVING CONSIDERED the Application of Defendant City of San  
Francisco Uptown Parking (Uptown) for an Extension of Time to  
Respond to the Complaint, and plaintiff's opposition,

AND HAVING FOUND GOOD CAUSE only for an extension of two  
weeks and only to file an Answer to the Complaint,

The Court hereby grants Uptown and the City of San  
Francisco an extension of two weeks to file an Answer.

SO ORDERED.

DATED: \_\_\_\_\_

\_\_\_\_\_  
HON. ELIZABETH D. LAPORTE  
Magistrate Judge  
U.S. District Court

*Certificate or Proof of Service by Mail, Fax or Personal Delivery*

State of California

County of Contra Costa

} ss.

I, the undersigned, say: I am and was at all times herein mentioned, a citizen of the United States and a resident of the Counties of Contra Costa, over the age of eighteen (18) years and not a party to the within action or proceeding; that my business address is Thimesch Law Offices, 158 Hilltop Crescent, Walnut Creek, California 94597-3452; that on the below date, following normal business practice, I caused to be served the foregoing document described as:

**[Proposed] ORDER PARTIALLY DENYING DEFENDANT CITY OF SAN FRANCISCO UPTOWN PARKING'S APPLICATION FOR EXTENSION OF TIME TO RESPOND TO THE COMPLAINT**

Yates v. City and County of San Francisco, et al. (U.S. District Court for the N. Dist. of Calif., Case No. C07-4087 EDL)

on the interested parties in this action, by taking a true copy thereof and conveying as follows:

JEFFER, MANGELS, BUTLER & MARMARO LLP

MARTIN H. ORLICK, ESQ.

Two Embarcadero Center, 5th Floor

San Francisco, CA 94111

Telephone: 415/398-8080

Facsimile: 415/398-5584

mho@jmbm.com

☐ See Attached Service List.

☐ **Personal Delivery:** By personally delivering, or causing to be hand delivered through a fax-filing or messenger agency, true and exact copies of these documents to the above entitled place of business (or as indicated on the attached service list) with directions to deliver them immediately to \_\_\_\_\_.

☒ **Email:** By email transmission with a copy of the subject document in Portable Document Format (PDF), sent to the below designated email addresses, and with a request for received- and read-receipts. (☐ Without exhibits, which are to follow by overnight mail; ☒ With exhibits; ☐ N/A)

☒ **Facsimile:** By facsimile transmission, from our regular facsimile machine at (888) 210-8868, at approximately \_\_\_\_\_ 2 PM \_\_\_\_\_, or soon thereafter, addressed to the following facsimile machine (☐ Without exhibits, which are to follow by mail; ☒ With exhibits):

Name of Person Served: See Above

Facsimile Telephone No: See Above

A facsimile machine report was printed immediately thereafter, which verified that the transmission was complete and without error.

☒ **U.S. Mail and/or Overnight:** By depositing true copies thereof, enclosed in a sealed envelope(s) with postage thereon fully prepaid, marked with the above address(es), and placed in:

☒ in First Class United States Mail

☐ in ☐ priority, or ☐ standard, overnight mail via Federal Express,

I am readily familiar with our office's practice for collection and processing of correspondence for mailing with the United States Postal Service. In the ordinary course of business, correspondence, including said envelope, will be deposited with the United States Postal Service in Walnut Creek, and designated overnight packages will be timely scheduled for pickup or placed in Federal Express drop boxes or left at drop centers in Walnut Creek.

I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made, and that the foregoing is true and correct under penalty of perjury pursuant to the laws of the United States and the state of California. Executed this **September 4, 2007**, in Walnut Creek, California.

By:



☐ Timothy S. Thimesch  
(Original signed)